



Docket No. MCP-262

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Bunick, et al.

Application No.: 09/752,899

Group No.: 1615

Filed: December 29, 2000

Examiner: Cchannavajjala, LS

For: SOFT TABLET CONTAINING DEXTROSE MONHYDRATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
OR IN A NAFTA OR WTO MEMBER COUNTRY
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)**

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention of this application in the United States of America at a date prior to August 23, 1999, which is the effective date of U.S. Pat. No. 6,495,177 that was cited by the Examiner.
2. The person making this Declaration is Joseph Luber, a joint inventor.

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached documents and/or models are submitted as evidence:
Copy of page 101 from notebook number 389.
4. From this document, it can be seen that the invention in this application was actually reduced to practice at least on June 30, 1999.

TIME OF PRESENTATION OF THE DECLARATION

5. This Declaration is submitted prior to final rejection.



DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

7.

Full name of joint inventor Joseph Luber

Inventor's signature Joseph Luber

Date: 6-23-2005

Country of Citizenship: USA

Residence USA

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PROJECT NO. 0857	DATE OF FIRST ENTRY 6-30-99	BOOK NO. 389	PAGE NO. 101
SUBJECT/PURPOSE	CONTINUED FROM (PAGE)		

Purpose Evaluate Eurand APAP

Similar to 389... but use blend of PEG 8000 with PEO 2,000,000 MW

Batch 6-30-99

Step#	Part #	Lot #	Ingredient	Zyphne Aspirin and Paracetamol			Perf.By
				Theory mg/tab	Actual g/batch	g/batch	
1	M6092		PEO- 2,000,000 MW (Union Carbide)	25	4.17	4.17	✓
	8R01107		PEG 8000	75	12.50	12.50	✓
	SD1099-9812		Firmenich N&A Orange 57.842/AP 05.51	6	1.00	1.00	✓
	9900C40-R		Sucratose	6	1.00	1.00	✓
	9702926		Citric Acid Anhydrous USP Powder	8	1.33	1.33	✓
	142828702		Cerelose Dextrose Monohydrate	457	76.17	76.2	✓
2	1806167		Crospovidone-Polyplasdone XL-10	62.5	10.42	10.42	✓
	7400R82		Eurand APAP	555.5	92.58	92.58	✓
3	3096000 4M009Y8		Mg Stearate	5	0.83	0.83	✓
TOTAL				1200	200 Batch Size		

Directions

- 1 Add ingredient to plastic bag, close and invert 50 times.
- 2 Add ingredients to plastic bag and invert 30 times
- 3 Add Ingredients to plastic bag and invert 20 times

Compress on Betapress using 1 set of 19/32" deep concave

Press	Compression	Comments	Friability			
			Hardness (kp)	Thickness (")	DT-37C Water(min)	First/Last Broke
40	38/10	NO Pick - Good from hot center	353	1.5-2		3/60
		Good Melt down - ingress of air	1.5-2	.353		
		Viscous when chilled			DT-37C	

REDACTED COPY

ABOVE ENTRY MADE BY <i>J. Z.</i>	DATE COMPLETED 6-30-99
WITNESSED BY	CONTINUED ON (PAGE)
READ AND UNDERSTOOD BY <i>J. Z. B.</i>	DATE 11/18/99